
HOUSE BILL No. 1253

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-7; IC 36-5-3.

Synopsis: Salaries of city and town legislative body members. Allows a city or town legislative body to require a member of the legislative body to attend all or a minimum number of the meetings of the body in order to be entitled to full compensation. Provides that the ordinance establishing this requirement may excuse a member for missing a meeting, but requires the legislative body to establish a policy that specifies the circumstances in which an absence is excused.

Effective: July 1, 2001.

Foley

January 9, 2001, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1253

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-4-7-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) As used in this section,
3 "compensation" means the total of all money paid to an elected city
4 officer for performing duties as a city officer, regardless of the source
5 of funds from which the money is paid.
6 (b) The city legislative body shall, by ordinance, fix the annual
7 compensation of all elected city officers. The ordinance must be
8 published under IC 5-3-1, with the first publication at least thirty (30)
9 days before final passage by the legislative body.
10 (c) **Except as provided in section 2.1 of this chapter**, the
11 compensation of an elected city officer may not be changed in the year
12 for which it is fixed, nor may it be reduced below the amount fixed for
13 the previous year.
14 SECTION 2. IC 36-4-7-2.1 IS ADDED TO THE INDIANA CODE
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2001]: **Sec. 2.1. (a) As used in this section, "member" refers to a**
17 **member of the city legislative body.**

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(b) A city legislative body may by ordinance condition a member's entitlement to full compensation on the member attending:

(1) all; or

(2) a minimum number;
of the meetings of the legislative body.

(c) An ordinance adopted under subsection (b) may provide that if a member's absence from a meeting is excused, the absence does not affect the member's entitlement to compensation. If the ordinance provides for excused absences, the legislative body must establish a policy that specifies the circumstances in which a member's absence is excused.

SECTION 3. IC 36-5-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) As used in this section, "compensation" means the total of all money paid to an elected town officer for performing duties as a town officer, regardless of the source of funds from which the money is paid.

(b) The town legislative body shall, by ordinance, fix the compensation of its own members, the town clerk-treasurer, and the town marshal. The legislative body shall provide reasonable compensation for other town officers and employees.

(c) **Except as provided in section 2.1 of this chapter,** the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year.

(d) The legislative body may provide that town officers and employees receive additional compensation for services that:

(1) are performed for the town;

(2) are not governmental in nature; and

(3) are connected with the operation of a municipally owned utility or function.

Subject to the approval of the legislative body, the administrative agency operating the utility or function shall fix the amount of the additional compensation, which shall be paid from the revenues of the utility or function.

SECTION 4. IC 36-5-3-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 2.1. (a) As used in this section, "member" refers to a member of the town legislative body.**

(b) A town legislative body may by ordinance condition a member's entitlement to full compensation on the member attending:

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- 1 (1) all; or
2 (2) a minimum number;
3 of the meetings of the legislative body.
4 (c) An ordinance adopted under subsection (b) may provide that
5 if a member's absence from a meeting is excused, the absence does
6 not affect the member's entitlement to compensation. If the
7 ordinance provides for excused absences, the legislative body must
8 establish a policy that specifies the circumstances in which a
9 member's absence is excused.

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